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PROCEDURE FOR THE APPROVAL OF ALTERNATIVE MEANS OF COMPLIANCE

(AltMoC)

1. APPLICABILITY

This AIC shall apply to Air Navigation Service Providers (ANSPs) and Air Traffic control Training Organisations (TOs), hereafter referred to as “organisations”, having their principal place of operation and, if any, their registered offices, in the Republic of Cyprus.

2. PURPOSE

The purpose of this AIC is to define the administrative procedure to be followed by organisations, when applying to the NSA for the approval of Alternative Means of Compliance (AltMoC) with the requirements of the regulations referenced in Section 3 below.

3. REFERENCED DOCUMENTS

- Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (“hereinafter Regulation (EU) 2018/1139”).
- Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, (hereinafter Regulation (EU) 2017/373)¹;
- Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011, 6.3.2015 O.J. L 63/1 (hereinafter “Regulation (EU) 2015/340”)².

¹ Particularly Part ATM/ANS.AR.A.015 and Part ATM/ANS.OR.020.

² Particularly Part ATCO.AR.A.015

4. ADMINISTRATIVE PROCEDURE

Acceptable means of compliance (AMC) issued by EASA³ are the usual means for organisations to comply with relevant regulatory requirements. Nevertheless, the regulations⁴ allow organisations to conform with requirements by applying also alternative means of compliance (AltMoC), on the assumption that these are approved by the competent authority (i.e. the NSA)⁵.

When an organisation opts to use an AltMoC, it shall, prior to implementing it, provide the NSA with its full description⁶ as well as the reason for opting to use it. The AltMoC description shall include any references to manuals or procedures that may be relevant, as well as an assessment demonstrating compliance with the requirements of the applicable regulation(s).

The organisation shall notify the NSA a minimum of 30 calendar days prior to the intended date of application of the AltMoC, using the template provided in Annex A.

The NSA shall review the proposed AltMoC and shall duly notify the organisation of its approval. Following its approval, the organisation may implement the AltMoC, as and when appropriate.

5. ENTRY INTO FORCE

This AIC shall enter into force on 1/3/2019.

6. FURTHER INFORMATION

The National Supervisory Authority

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³ European Aviation Safety Agency

⁴ (EU) 2017/373, part ATM/ANS.AR.A.015 (a) and (EU) 2015/340 ATCO.AR.A.015 (a).

⁵ (EU) 2017/373, part ATM/ANS.AR.A.015 (b), (c) and (d) and (EU) 2015/340 ATCO.AR.A.015 (b), (c) and (d).

⁶ (EU) 2017/373 Part ATM/ANS.OR.A.020 (b).

Annex A

Template for the submission of AltMoC by service providers

<name of organisation>

Alternative Means of Compliance (AltMoC)

with the requirements for

<reference to the requirement>

EXAMPLE

| | | |
|----------------|---|----------------|
| Edition Number | : | 0.1 |
| Edition Date | : | xx-xx-20xx |
| Status | : | Proposed Issue |
| Intended for | : | xxxxxxxx |

DOCUMENT APPROVAL

The following table identifies all management authorities who have successively approved the present issue of this document.

| AUTHORITY | NAME AND SIGNATURE | DATE |
|--------------------------------|-----------------------------|------|
| <i>Chief Executive Officer</i> | <i><Name Surname></i> | |
| <i>Head of Unit</i> | <i><Name Surname></i> | |

EXAMPLE

EXAMPLE

1. REGULATORY REQUIREMENTS

This procedure makes reference or revises the following manuals or procedures:

- Regulation (EU)2017/373
- Regulation (EU) 2015/340

2. RELEVANT SERVICE PROVIDER DOCUMENTATION

These AltMoC make reference or revises the following manuals or procedures:

- Manual of Air Traffic Services Ver.4.0, Chapter 7
- FMP Manual Ver.2.0, Chapter 4

3. PROPOSED DATE OF IMPLEMENTATION

These AltMoC are proposed to be implemented on dd/mm/20XX.

4. DESCRIPTION OF THE AltMoC

These AltMoC contain the processes designed to provide assurance that a change to the ATM system or the introduction of a new ATM system can be implemented acceptably safe. Change must be managed so as to ensure that normal operations can take place and to minimise the risks in case of failures. To this effect, staff acceptability and readiness for the change must be ensured and, in addition, risks should be assessed and, if necessary, mitigated. Change will not be implemented, unless it can be successfully argued that the mitigations proposed provide an assurance for safety.

The detailed processes are collated and documented in a procedure titled “*CYANS procedure for managing ATM functional changes*” and is attached to this proposal.

5. PERIODICAL REVIEW OF THIS AltMoC

The proposed AltMoC will be reviewed, as a minimum, every two years so as to ensure that they remain relevant and valid.

6. COMPLIANCE ASSESSMENT OF THE AltMoC

The assessment demonstrating compliance of the proposed AltMoC with the requirements of the applicable regulation is presented in the next page.

| Ref | REQUIREMENTS | H.L. QUESTION(S) | CONFORMITY Y / N / Observ. | EVIDENCE | IS THE “Who does what, when, where and how” CLEARLY DESCRIBED? | NOTES | |
|-----|---|---|-------------------------------|---|--|-------|--|
| 1 | <p>EXAMPLE</p> <p>(extract from reg.)</p> <p>(EU) 2017/373</p> <p>ATM/ANS.OR.A.065</p> <p>Occurrence reporting</p> <p>A service provider shall report to the competent authority any accident, serious incident and occurrence.</p> | Do the documented AltMoC address <u>all</u> the regulatory requirements? | Y | This a holistic assessment | | | |
| 2 | | Do the proposed AltMoc achieve the same effect as that of the EASA AMCs? | Y | This the service provider’s/TU’s opinion and knowledge of the subject and the environment | | | |
| 3 | | Do the AltMoC contain provisions that require it to be reviewed periodically? | Y | AltMoC XXX, Section V, para. T | | | |
| | | QUESTIONS BELOW APPLY ONLY IF THE AltMoC TAKES THE FORM OF A PROCEDURE | | | | | |
| 4 | | Does the service provider report to the competent authority any accident? | Y | AltMoC Procedure XXX, Section Z, para. Q | Yes | | |
| 5 | | Does the service provider report to the competent authority serious incident? | Y | AltMoC Procedure XXX, Section F, para. G | Yes | | |
| 6 | | Does the service provider report to the competent authority any occurrence? | Y | AltMoC Procedure XXX, Section R, para. S | Yes | | |